

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF NEW YORK

GENERAL ORDER #42
IN THE MATTER OF AMENDMENT TO LOCAL RULE OF CRIMINAL
PROCEDURE 32.1(c)2

It is hereby ORDERED that:

Local Rule of Criminal Procedure 32.1(c)2 is amended to read as follows:

1) First Amendment to the Rule -

The Court directs the probation officer not to disclose the probation officer's confidential recommendation to any of the parties, except, the Probation Officer may at the discretion of the presiding judge, disclose the conditions of supervision to the government's attorney, defense attorney, and the defendant.

2) Second Amendment to the Rule -

The Presentence Report is confidential and should not be disclosed to anyone other than the defendant, the defendant's attorney, the United States Attorney and the Bureau of Prisons without the Court's consent except that in cases which involve a sex offense as a count of conviction, the Probation Office shall disclose the Presentence Report to the New York State Board of Examiners for Sex Offenders for purposes of their completion of a sex offender classification level. The disclosure shall adhere to the conditions set forth in the Memorandum of Understanding executed between the Probation Office and the New York State Board of Examiners for Sex Offenders.

This provision will be incorporated into the Local Rules of Criminal Procedure during the next amendment to the Local Rules, in January 2011.

Ordered this 12th day of March, 2010.
At Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge